

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

NANCY LORD AND LAWRENCE MOORE,  
Plaintiffs,  
v.  
NYE COUNTY, et al.,  
Defendants.

No. 2:15-cv-0296-LDG-NJK  
ORDER

Defendants filed a motion to dismiss the complaint or, in the alternative, for Younger abstention (#31, opposition #32, reply #33). While defendants' Younger abstention arguments were compelling when made, the passage of time now raises questions for the court regarding the current status of the parties and of the state court proceedings, which would be essential in a Younger analysis. Furthermore, the current status of the parties and the state court proceedings must be determined before the court's consideration of the likelihood of success on the merits as it relates to pending requests for injunctive relief. Accordingly,

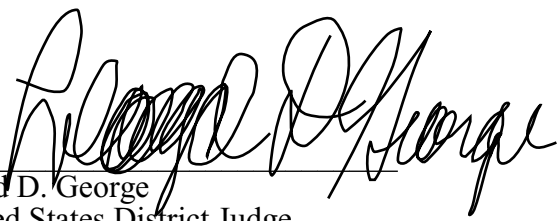
THE COURT HEREBY ORDERS that defendants' motion to dismiss or, in the alternative, for Younger abstention (#31) is DENIED without prejudice to its refiling.

THE COURT FURTHER ORDERS that defendants shall have sixty days in which to file an updated motion to dismiss or, in the alternative, for Younger abstention, with subsequent briefing to follow the local rules.

1 THE COURT FURTHER ORDERS that plaintiffs' unopposed motion to amend the  
2 complaint (#15) is GRANTED.

3 THE COURT FURTHER ORDERS that defendants' motion for extension of time (#18)  
4 and to file a response (#26) are DENIED as moot.

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6 Dated this 31 th day of March, 2016.

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11 Lloyd D. George  
12 United States District Judge  
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